

Agent's reference: 05-480-B

**IN THE UNITED STATES RECEIVING OFFICE (RO/US)**

In re Application of: )  
 )  
Dae Soo Jeong ) Group Art Unit: TBA  
 )  
Serial No.: 10/568,232 ) Examiner: TBA  
 )  
Filed: February 14, 2006 )  
 )  
For: Locking Member for Locking a Card with )  
Respect to a Shelf )

**TRANSMITTAL LETTER**

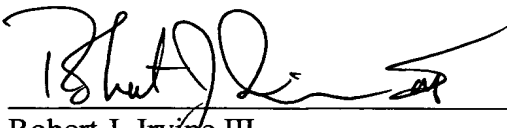
Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sirs:

In regard to the above-identified application we are transmitting herewith the attached:

- 1) International Preliminary Report on Patentability;
- 2) **CERTIFICATE OF MAILING BY "EXPRESS MAIL" UNDER 37 CFR § 1.10:** The undersigned hereby certifies that this Transmittal Letter and the paper, as described hereinabove, are being deposited with the United States Postal Service with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia, 22313-1450, on this 24<sup>th</sup> day of May, 2006, Express Mail No. **EV839411437US**.

Respectfully submitted,

By   
Robert J. Irvine III  
Registration No. 41,865  
Attorney for the Applicant(s)

From the INTERNATIONAL BUREAU

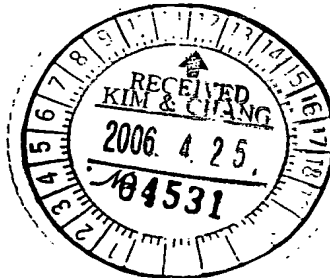
**PCT**NOTIFICATION CONCERNING  
TRANSMITTAL OF COPY OF INTERNATIONAL  
PRELIMINARY REPORT ON PATENTABILITY  
(CHAPTER I OF THE PATENT COOPERATION  
TREATY)

(PCT Rule 44bis.1(c))

To:

AN, Kook Chan  
Hannuri Bldg. 219 Naeja-dong,  
Chongno-gu,  
Seoul 110-053  
RÉPUBLIQUE DE CORÉEDate of mailing (day/month/year)  
13 April 2006 (13.04.2006)Applicant's or agent's file reference  
FM241514**IMPORTANT NOTICE**International application No.  
PCT/KR2004/002472International filing date (day/month/year)  
24 September 2004 (24.09.2004)Priority date (day/month/year)  
30 September 2003 (30.09.2003)Applicant  
UTStarcom Korea Limited et al

The International Bureau transmits herewith a copy of the international preliminary report on patentability (Chapter I of the Patent Cooperation Treaty)

es  
WT  
2451The International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland

Authorized officer

Philippe Becamel

Facsimile No.+41 22 740 14 35

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# PATENT COÖPERATION TREATY

# PCT

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference FM241514	<b>FOR FURTHER ACTION</b>	See item 4 below
International application No. PCT/KR2004/002472	International filing date ( <i>day/month/year</i> ) 24 September 2004 (24.09.2004)	Priority date ( <i>day/month/year</i> ) 30 September 2003 (30.09.2003)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant UTStarcom Korea Limited		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).

2. This REPORT consists of a total of 4 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

- |                                     |              |   |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I    | Basis of the report   |
| <input type="checkbox"/>            | Box No. II   | Priority  |
| <input type="checkbox"/>            | Box No. III  | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability  |
| <input type="checkbox"/>            | Box No. IV   | Lack of unity of invention  |
| <input checked="" type="checkbox"/> | Box No. V    | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/>            | Box No. VI   | Certain documents cited   |
| <input type="checkbox"/>            | Box No. VII  | Certain defects in the international application  |
| <input type="checkbox"/>            | Box No. VIII | Certain observations on the international application   |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Date of issuance of this report 03 April 2006 (03.04.2006)
Facsimile No. +41 22 740 14 35	Authorized officer  <div style="text-align: center; font-weight: bold;">Philippe Becamel</div> Telephone No. +41 22 338 70 90

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COPY FOR IB

PATENT COOPERATION TREATY

REC'D 28 DEC 2004

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From the  
INTERNATIONAL SEARCHING AUTHORITY

To:

AN, Kook Chan

Hannuri Bldg. 219 Naeja-dong, Chongno-gu, Seoul 110-053  
Republic of Korea

PCT

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing  
(day/month/year) 17 DECEMBER 2004 (17.12.2004)

Applicant's or agent's file reference  
FM241514

FOR FURTHER ACTION  
See paragraph 2 below

International application No.

PCT/KR2004/002472

International filing date (day/month/year)

24 SEPTEMBER 2004 (24.09.2004)

Priority date(day/month/year)

30 SEPTEMBER 2003 (30.09.2003)

International Patent Classification (IPC) or both national classification and IPC

IPC7 H04B 1/03

Applicant

UTStarcom Korea Limited et al

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.  
For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/KR



Korean Intellectual Property Office  
920 Dunsan-dong, Seo-gu, Daejeon 302-701,  
Republic of Korea

Facsimile No. 82-42-472-7140

Authorized officer

JEONG, Jae Woo

Telephone No. 82-42-481-5718



**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/KR2004/002472

**Box No. I Basis of this opinion**

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.  
  
☐ This opinion has been established on the basis of a translation from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material  
☐ a sequence listing  
☐ table(s) related to the sequence listing
  - b. format of material  
☐ in written format  
☐ in computer readable form
  - c. time of filing/furnishing  
☐ contained in the international application as filed.  
☐ filed together with the international application in computer readable form.  
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/KR2004/002472

**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;  
citations and explanations supporting such statement**

**1. Statement**

Novelty (N)	Claims	1 - 4	YES
	Claims		NO
Inventive step (IS)	Claims	1 - 4	YES
	Claims		NO
Industrial applicability (IA)	Claims	1 - 4	YES
	Claims		NO

**2. Citations and explanations :**

D : US 6379167

The claimed inventions are related to a locking member for locking a card into a shelf, which comprises a connecting section, a resilient section, and an engagement section. The citation D discloses an electrical connector including an ejector with a push rod and elastic members.

The claimed inventions and D are related to the same subject matter, the fixing device attached to a card for fixing it into a rack. However the prior art does not disclose a lock member with a shape of a plate spring in the claimed invention. Moreover the shape of the lock member which comprises three parts of a connection section, a resilient section, and an engagement section is neither obvious to a person skilled in the art nor suggested in the prior art. Consequently the claims 1-4 are considered to fulfil the requirements of novelty and inventive step under PCT Article 33(2)(3).